

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

06 Civ. 0694 (PKC)

NIPPON EXPRESS U.S.A.
(ILLINOIS), INC.,

Plaintiff,

- against -

M/V CHIANG JIANG BRIDGE et
ano.,

Defendants.

DEFENDANT, YANGMING MARINE
TRANSPORT CORP.'S REPLY
DECLARATION OF PAUL M. KEANE IN
SUPPORT OF ITS MOTION TO DISMISS THE
CLAIMS AGAINST IT ON GROUND OF A
MANDATORY AND EXCLUSIVE FOREIGN
FORUM SELECTION AGREEMENT

PAUL M. KEANE declares that the following statement is true under the penalties of perjury:

1. I am an attorney at law admitted to practice before this Court, and I am a member of the firm of Cichanowicz Callan Keane Vengrow & Textor, LLP, attorneys for defendant in the above captioned matter. I am fully familiar with the facts and circumstances of the matter and I make this declaration on personal knowledge.

2. Attached to this declaration as defendant's Reply Exhibits are true and complete copies of the following:

EXHIBIT 1: Printout from plaintiff's web site.

EXHIBIT 2: Printout from F.M.C. web site listing licensed non-vessel operating common carriers.

EXHIBIT 3: Printout from F.M.C. web site listing licensed freight forwarders.

EXHIBIT 4: Letter from plaintiff's counsel dated June 1, 2007.

EXHIBIT 5: Letter from the undersigned dated June 4, 2007.

EXHIBIT 6: Face of bill of lading at issue.

EXHIBIT 7: The booking note for the shipment at issue.

Dated: New York, NY, June 19, 2007

/s/ Paul M. Keane

PAUL M. KEANE [PK-5934]